

AMENDED NO. 61706
**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF
NEVADA**

Date of filing in State Engineer's Office NOV 27 1995
Returned to applicant for correction DEC 13 1995
Corrected application filed _____
Map filed FEB 09 1996

The applicant **James Carl dba Husker Mining**, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **underground**
2. The amount of water applied for is **.30 c.f.s.** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **mining, milling, and domestic**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks") **mining, milling, and domestic**
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, T.33N., R.36E., M.D.B. & M. or at a point from which the W $\frac{1}{4}$ corner of said Section 24 bears S 66°06'52" W a distance of 1,567.89 feet.**
6. Place of Use **Section 24, T.33N., R.36E., M.D.B. & M.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **drilled well, pipelines, and storage ponds**
9. Estimated cost of works **in excess of \$5,000**
10. Estimated time required to construct works **2 years (an existing 8" well; specific information and well driller unknown)**
11. Estimated time required to complete the application of water to beneficial use **5 years**
12. Remarks: **Mining, milling, and domestic; annual consumptive use of approximately 20,000,000 gallons**

Desert Mountain Surveying as agent
By John H. Milton III, PLS, SWRS
By s/John H. Milton III
146 West Second Street
Winnemucca, NV 89445

Compared dl/cmf dl/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

The total combined duty of water under Permit 49907, Certificate 13260, and Permit 61706, shall not exceed 51.605 million gallons annually.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.3 cubic feet per second, but not to exceed 51.605 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

November 5, 2000

Proof of completion of work shall be filed before:

December 5, 2000

Water must be placed to beneficial use on or before:

November 5, 2002

Proof of the application of water to beneficial use shall be filed on or before:

December 5, 2002

Map in support of proof of beneficial use shall be filed on or before:

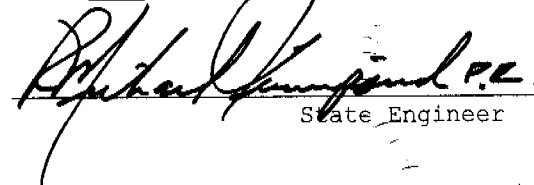
N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 5th day of November A.D. 1999


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____